

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Communications Division
Carrier Oversight & Programs Branch**

**RESOLUTION T-17390
April 4, 2013**

R E S O L U T I O N

RESOLUTION T-17390. The Commission approves Hornitos Telephone Company's (U-1011-C) Advice Letter No. 309, filed on December 27, 2012.

SUMMARY

This Resolution approves Hornitos Telephone Company's (Hornitos) requests in Advice Letter (AL) No. 309 as follows:

- To discontinue Two-Party and Four-Party Line residential services;
- To discontinue Suburban Ten-Party Line Flat Rate service for business customers;
- To allow existing customers of Suburban Ten-Party Line Flat Rate service to keep the service until they make changes to their service status; and
- To modify its tariffs to reflect these changes.

BACKGROUND

By AL No. 309 filed on December 27, 2012, Hornitos requests authority to discontinue its Two-Party and Four-Party Line residential service offerings because it has no customers subscribing to these services. Hornitos also requests authority to remove these services from its tariffs. Party line service allows two or more customers to be connected to and share the same telephone line. Two and Four-Party Line service means that two or four customers share the same telephone line.

In addition, Hornitos requests authority to discontinue its Suburban Ten-Party Line Flat Rate service for business customers. Hornitos currently has two residential customers subscribing to this service and has no business customers subscribing to it. Hornitos

also requests authority to modify the tariffs for this service. Ten-Party Line Flat Rate service means ten customers share the same telephone line.

NOTICE/PROTESTS

Hornitos served copies of this AL to the service list in accordance with Resolution T-17327. Notice of AL No. 309 was published in the Commission's Daily Calendar of January 30, 2013. No protests to this AL have been received.

DISCUSSION

A. Two - Party and Four - Party Line Services

Hornitos does not have any customers subscribing to Two-Party and Four-Party Line residential services. Additionally, the Communications Division (CD) has confirmed that none of Hornitos' existing residential customers would be harmed from the discontinuance of these services.

B. Suburban Ten - Party Line Service

Hornitos has two residential customers currently subscribing to Suburban Ten-Party Line Flat Rate service. Hornitos has upgraded their telecommunications system such that these customers are actually receiving Individual Line service (an upgraded service), but pay the lower Suburban Ten-Party Line Flat Rate service rate. Hornitos states that these two customers will be permitted to stay on Suburban Ten-Party Line Flat Rate service as long as they do not make any changes to their service status. Any other customer who signs up for this service between now until the effective date of this Resolution will also be permitted to stay on it as long as he/she does not make any changes to his/her service status.

If a Suburban Ten-Party Line Flat Rate residential customer makes a change to his/her service status, including but not limited to 1) transferring to a different name or location, 2) requesting a change in service such as an activation of a custom calling feature, 3) or disconnection for non-payment of their telephone bill, his/her service will be automatically switched to Individual Line service. Hornitos does not have any business customers subscribing to this service.

Upon review of Hornitos' AL 309, CD concludes that Hornitos request to withdraw its Two-Party and Four-Party Line residential service offerings and Suburban Ten-Party Line Flat Rate business service is appropriate and reasonable. CD also concludes that existing residential customers of Suburban Ten-Party Line Flat Rate service shall be permitted to remain on the service unless and until they make any changes to their service status.

The Commission has reviewed this Resolution and approves the Hornitos AL requests as discussed above. As ordered by General Order 96-B, Hornitos shall send a notice to the affected customers thirty days in advance of the proposed effective date of the advice letter filing of April 4, 2013.

SAFETY ISSUES

Hornitos' is required to adhere to all Commission rules, decisions, General Orders and statutes including Public Utilities Code § 451 to take all actions "...necessary to promote the safety, health, comfort and convenience of its patrons, employees, and the public." This Resolution does not adversely impact customers as Hornitos has already upgraded the customers of Suburban Ten-Party Line Flat Rate service to Individual Line service with access to 911 service.

COMMENTS

In compliance with Public Utilities Code section 311(g), a notice letter was emailed on March 5, 2013, informing all parties on the service list of the availability of the draft of this Resolution for public comments at the Commission's web site <http://www.cpuc.ca.gov>. This letter also informed parties that the final Resolution adopted by the Commission will be posted and will be available at the same website.

FINDINGS AND CONCLUSIONS

1. Hornitos Telephone Company (Hornitos) filed Advice Letter No. 309 on December 27, 2012.
2. Hornitos' request for authority to discontinue Two-Party and Four-Party Line services is reasonable because they have no customers subscribing to these services.
3. Hornitos' existing residential customers will not be harmed from the discontinuance of Two-Party and Four-Party Line services.
4. Hornitos is granted authority to remove its tariffs for Two-Party and Four-Party line services.
5. Hornitos' request for authority to discontinue Suburban Ten-Party Line Flat Rate business service is reasonable.
6. Hornitos has two residential customers subscribing to Suburban Ten-Party Line Flat Rate service.

7. Hornitos has no business customers subscribing to Suburban Ten-Party Line Flat Rate service.
8. Hornitos' two Suburban Ten-Party Line Flat Rate service customers receive Individual Line service, but pay the Suburban Ten-Party Line Flat Rate service rate.
9. Suburban Ten-Party Line Flat Rate service rate is lower than Individual Line service rate.
10. If an existing Suburban Ten-Party Line Flat Rate service customer makes a change to his/her service status, including but not limited to 1) transferring to a different name or location, 2) requesting a change in service such as an activation of a custom calling feature, 3) or disconnection for non-payment of their telephone bill, his/her service will automatically be moved to Individual Line Service.
11. Hornitos is granted authority to remove its tariff for Suburban Ten-Party Line Flat Rate business service.
12. As ordered by General Order 96-B, Hornitos shall send a notice to the affected customers thirty days in advance of the proposed effective date of the advice letter filing of April 4, 2013.
13. Communications Division finds that Hornitos requests in Advice Letter No. 309 are appropriate and reasonable and should be authorized.
14. Commission approval of Hornitos' requests are based on the specifics of this Advice Letter filing and does not establish a precedent for the contents of future filings for Commission approval of similar requests.

THEREFORE, IT IS ORDERED that:

1. Hornitos Telephone Company is granted authority to discontinue Two-Party and Four-Party Line Services.
2. Hornitos Telephone Company is granted authority to discontinue Suburban Ten-Party Flat Rate business service.
3. Hornitos Telephone Company shall allow its existing customers of Suburban Ten-Party Flat Rate residential service to remain on the service unless they make any changes to their service status, at which time their service will automatically be switched to Individual Line Service.
4. Hornitos Telephone Company Advice Letter No. 309 and accompanying tariff sheets shall be marked to show they were authorized by the California Public Utilities Commission Resolution No. T-17390 and its adoption date.

5. Commission approval of Advice Letter No. 309 is based on the specifics of this Advice Letter and does not establish a precedent for the content of future filings for Commission approval of similar requests.

This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on April 4, 2013, the following Commissioners voting favorable thereon:

PAUL CLANON
Executive Director